

CRIMINAL TRIAL PROCEEDINGS
MINUTE SHEET

DATE: 2-28-2013

United States District Court	Eastern District of Virginia - Richmond Division
CASE TITLE UNITED STATES OF AMERICA v. MICHAEL F. HARRIS	CRIMINAL NO: 3:12CR00170 JUDGE: HUDSON CT REPORTER: LISCIO, OCR

MATTER COMES ON FOR: JURY TRIAL (☒) BENCH TRIAL ()

APPEARANCES: Day 4
DEFT WITH COUNSEL Robert J. Wagner & Nicholas R. Klaiber, ESQ. (X)
GOV'T Michael R. Gill & Gauhar R. Naseem, AUSA (X)
JURY PRESENT ()

BAIL STATUS: DEFENDANT ON BOND (☒) DFT. INCARCERATED ()

TRIAL PROCEEDINGS:

JURY SWORN & EXAMINED ON VOIR DIRE () JURY EMPANELED & SWORN TO TRY ISSUE ()
WITNESSES EXCLUDED ON MOTION OF: GOV'T () DEFENDANT () COURT ()
OPENING STATEMENTS MADE () OPENING WAIVED ()
GOVERNMENT ADDUCED EVIDENCE (☒) RESTED (☒) MOTION (☒ (A))
DEFENDANT ADDUCED EVIDENCE (☒) RESTED (☒) MOTION (☒ (B))
REBUTTAL EVIDENCE ADDUCED () SUR-REBUTTAL EVIDENCE ADDUCED ()
EVIDENCE CONCLUDED (☒) ARGUMENTS OF COUNSEL HEARD ()
JURY CHARGED BY THE COURT () ALTERNATE JUROR DISCHARGED ()
OBJECTIONS AND/OR EXCEPTIONS TO THE JURY CHARGE NOTED BY:
DEFENDANT () GOVERNMENT () NONE NOTED ()
JURY RETIRED () at _____ a.m./p.m. INQUIRIES OF THE JURY RECEIVED; ANSWERED ()
JURY RETURNED VERDICT OF: GUILTY AS CHARGED IN _____ ()
NOT GUILTY AS CHARGED IN _____ ()
JURY UNABLE TO AGREE () MISTRIAL DECLARED () JURY DISCHARGED ()
JUDGMENT: DEFENDANT _____ AS CHARGED IN _____ ()
PSR ORDERED () or WAIVED BY THE DEFENDANT () SGO ENTERED ()

CASE CON'T TO: March 1, 2013 AT 10:00 AM FOR Jury Trial, Day 5 ☒

DEFENDANT CONTINUED ON PRESENT BOND (☒) DEFENDANT REMANDED TO CUSTODY ()

ALL EXHIBITS RETURNED TO COUNSEL () _____

FURTHER NOTATIONS: See page 2

Recesses > 10:15-10:32, 1:03-2:05, 3:00-3:18

SET: 9:00 BEGAN: 9:03 ENDED: 4:45 TIME IN COURT: 6 HRS 05 MIN.

PAGE TWO (2)

MINUTE SHEET, CON'T.

United States of America v. Michael F. Harris
Criminal Action No. 3:12CR00170-HEH
February 28, 2013

FURTHER NOTATIONS:

- [A] Defendant's Motion to Dismiss for lack of venue as to Counts 3 and 4.
Motion taken under advisement by Court.

Defendant's Motion for Judgment of Acquittal under Rule 29.
Argument heard.
Findings given from the Bench; motion denied as to all counts.

- [B] Defendant's renewed Motion for Judgment of Acquittal under Rule 29.
Motion denied for reasons as stated previously.

UNITED STATES DISTRICT COURT

EASTERN

DISTRICT OF

VIRGINIA (Richmond Division)

UNITED STATES OF AMERICA
V.
MICHAEL F. HARRIS

EXHIBIT AND WITNESS LIST

Case Number: 3:12CR00170-HEH

PRESIDING JUDGE HUDSON					PLAINTIFF'S ATTORNEY MICHAEL R. GILL, AUSA	DEFENDANT'S ATTORNEY ROBERT WAGNER, ESQ.
TRIAL DATE (S) FEBRUARY 28, 2013 (DAY 4)					COURT REPORTER LISCIO, OCR	COURTROOM DEPUTY PIZZINI
PLF. NO.	DEF. NO.	DATE OFFERED	MARKED	ADMITTED	DESCRIPTION OF EXHIBITS* AND WITNESSES	
					GOVERNMENT	
	33	2-28-13		✓	Katie Ritter (con't. from 2-27-2013)	
1				✓	Brad Gregor	
140				✓		
161				✓		
180				✓		
	58				Letter from Nancy Ferguson	
	59				302 Form RE: Diane Desch	
	60				MDI of David Evans	
112-113				✓	} Exhibits admitted by agreement of Gov't. and counsel	
	57A			✓		
198-199				✓	Cindy Williamson (rec'd as expert)	
200				✓		
201				✓		
202				✓		
203				✓		
204				✓		
205				✓		
206				✓		
207-208				✓		

* Include a notation as to the location of any exhibit not held with the case file or not available because of size.

EXHIBIT AND WITNESS LIST - CONTINUATION

UNITED STATES OF AMERICA vs. MICHAEL F. HARRIS					CASE NO. 3:12CR00170-HEH
PLF. NO.	DEF. NO.	DATE OFFERED	MARKED	ADMITTED	DESCRIPTION OF EXHIBITS AND WITNESSES
					GOV'T.
209		2-28-13		✓	(Cindy Williamson, con't.)
210				✓	
178				✓	
179				✓	
216				✓	
225				✓	
217				✓	
218				✓	
130				✓	
213				✓	
211				✓	
132-135				✓	
214-215				✓	
219				✓	
220-221				✓	
224				✓	
130				✓	
222				✓	
22-23				✓	
34				✓	
181				✓	
41-42				✓	
70-71				✓	
87				✓	
87-1				✓	
100-103				✓	

EXHIBIT AND WITNESS LIST - CONTINUATION

UNITED STATES OF AMERICA vs. MICHAEL F. HARRIS					CASE NO. 3:12CR00170-HEH
PLF. NO.	DEF. NO.	DATE OFFERED	MARKED	ADMITTED	DESCRIPTION OF EXHIBITS AND WITNESSES
					GDV'T.
228		2-28-13		✓	(cindy Williamson, con't.)
233				✓	
235				✓	
229				✓	
230				✓	
232				✓	
234				✓	
206				✓	
203				✓	
	55			✓	worksheet - Delaney payments
247				✓	(redacted)
246				✓	Stipulations → read into record by ALISA
					DEFT.
243				✓	Rodney Sparks
	2			✓	
	14			✓	
250				✓	Frank Roth